

**MINUTES OF THE CITY COMMISSION MEETING  
JULY 12, 2004**

The City of Leesburg Commission held a regular meeting Monday, July 12, 2004, in the Commission Chambers at City Hall. Mayor Pro-tem Puckett called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian  
Commissioner Bob Lovell  
Commissioner Ben Perry  
Mayor Pro-tem Lewis Puckett

Mayor David Knowles was on vacation. Also present were City Manager (CM) Ron Stock, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Lovell gave the invocation followed by the Pledge of Allegiance to the Flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD  
JUNE 28, 2004 AND THE CLOSED MEETING HELD JUNE 28, 2004**

Commissioner Lovell moved to approve the City Commission minutes of the regular meeting held June 28, 2004. Commissioner Perry seconded the motion and it carried unanimously.

Commissioner Perry moved to approve the minutes of the closed City Commission meeting held June 28, 2004. Commissioner Lovell seconded the motion and it carried unanimously.

**HEARD PRESENTATION ON ELECTRIC AND GAS BY ELECTRIC AND GAS  
DIRECTOR (EGD) LLOYD SHANK**

EGD Shank stated the employees in the Electric and Gas Departments comprise some of the best employees in the City. They are committed to learning.

EGD Shank gave an overview of the history of the Gas Department and how it has grown. Most notable is the growth during the past few years with the number of gas customers nearly doubling. EGD Shank stated the City is a member of Florida Gas Utility (FGU) which buys the gas. The City has begun buying winter time gas during the summer months when the prices are lower in order to reduce costs. This has taken the volatility out of the pricing of gas.

Commission Lovell questioned if the once proposed gas pipelines were still viable after the Enron scandal. EGD Shank stated the pipeline from Mexico is in place, but there are no plans for it to come into Florida.

EGD Shank reported the Electric Department, which began in 1917, now has five substations and 365 miles of distribution line, 100 miles of which are underground. The City diversified into outdoor lighting and Telecommunications as a result of a deregulation study which was completed a few years ago. Projected revenues for 2005 in Telecommunications are \$900,000.

Lewis Puckett recognized Ed Schlein, in the audience, as a past commissioner.

## MINUTES OF THE JULY 12, 2004 CITY COMMISSION MEETING

### **CONSENT AGENDA:**

Commissioner Perry moved to approve the items on the Consent Agenda and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Christian	Yea
Mayor Pro-tem Puckett	Yea

Four yeas, no nays, the Commission approved the Consent Agenda, as follows:

### PURCHASING ITEMS:

LB-04-13 Portable radios (35) for Police Dept. awarded to Houston Communications Inc. for \$39,533.00.  
Radio consoles (2) for Police Dept. awarded to Tri-Co for \$38,980.00.

### RESOLUTIONS:

#### RESOLUTION 7159

A resolution of the City Commission of the City of Leesburg Florida, authorizing the Mayor and City Clerk to execute an amendment to the agreement with Jody Walton Property Mowing for grass mowing services; and providing an effective date.

#### RESOLUTION 7160

A resolution of the City Commission of the City of Leesburg Florida, authorizing the Mayor and City Clerk to execute a lease agreement with Lake County to provide outdoor advertising display on a City owned billboard sign located along the Florida Turnpike; and providing an effective date.

#### RESOLUTION 7161

A resolution of the City Commission of the City of Leesburg, Florida, ratifying the City Manager's authorization to direct the Fire Chief to accept sub-grant funding administered by the State of Florida Department of Financial Services, Division of the State Fire Marshal, to provide technical rescue equipment and training, as provided by the program and authorizing the Mayor and City Clerk to execute the subgrant agreement for equipment for Florida Strategy; providing for an effective date.

#### RESOLUTION 7162

A resolution of the City of Leesburg, Florida providing for the issuance of not exceeding \$18,500,000 Capital Improvement Revenue Bonds, Series 2004, of the City to finance the acquisition and construction of certain citywide capital improvements; providing for the issuance of additional bonds and incurrence of obligations under qualified swaps; providing for the payment of such bonds and obligations under qualified swaps from revenues derived from the public service tax and, on a subordinated basis, the local government half-cent sales tax and guaranteed entitlement; making certain covenants and agreements in connection therewith, including, but not limited to, authorized investments and covenants regarding defaults and remedies; and providing an effective date.

## **MINUTES OF THE JULY 12, 2004 CITY COMMISSION MEETING**

### **RESOLUTION 7163**

A resolution of the City of Leesburg, Florida supplementing Resolution No. \_\_ of the City adopted on the date hereof; authorizing the issuance of the City's Capital Improvements Revenue Bonds, Series 2004 in an aggregate principal amount not exceeding \$18,500,000; authorizing the acquisition and construction of certain citywide capital improvements and the application of proceeds of the Series 2004 bonds to pay the cost thereof; authorizing a City authorized representative to award the sale of such bonds to RBC Dain Rauscher Inc. in accordance with certain parameters set forth herein and approving the form of a bond purchase agreement to be used in connection with such sale; appointing Wachovia Bank, National Association as Paying Agent and Registrar; approving the form and authorizing the circulation of a preliminary official statement and authorizing the execution and delivery of a final official statement; authorizing the Finance Director or Deputy Finance Director to deem final the preliminary official statement; approving the form of and authorizing the execution of a continuing disclosure certificate; ratifying the City's acceptance of commitments for a bond insurance policy and reserve fund insurance policy for such bonds provided by Financial Guaranty Insurance Company and providing certain covenants for the benefit thereof as an inducement to the issuance of such policies; approving the form of and authorizing the execution and delivery of a debt service reserve fund policy agreement in connection with the issuance of the reserve fund insurance policy by Financial Guaranty Insurance Company; authorizing the negotiation and execution of a debt service deposit agreement; authorizing certain officials of the City to execute any documents and take any actions required in connection with the issuance of said bonds; providing certain other details with respect thereto; providing an effective date for this resolution.

### **RESOLUTION 7164**

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with Cutrale Citrus Juices U.S.A, Inc. for a gas transportation agreement; and providing an effective date.

### **PUBLIC HEARINGS:**

### **ADOPTED ORDINANCE 04- 44 RENAMING JORDAN STREET TO MINATEE LANE**

CC Richardson read the ordinance as follows, by title only:

An ordinance renaming Jordan Street being an existing street shown on the plat of Lee's Subdivision the City of Leesburg as recorded in Plat Book 8, Page 102, Public Records of Lake County, Florida, and lying in Section 25, Township 19 south, Range 24 east; and providing an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Pro-tem Puckett	Yea

Four yeas, no nays, the Commission adopted the ordinance.

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### **TABLED JOANNE L. NEUMAN REVOCABLE FAMILY TRUST ANNEXATION AND COMPREHENSIVE PLAN CHANGE UNTIL THE AUGUST 23, 2004 CITY COMMISSION MEETING**

Mayor Pro-tem Puckett stated staff requested tabling this item until the August 23, 2004 City Commission meeting in order to obtain the correct documentation.

Commissioner Perry moved to table this item until the August 23, 2004 City Commission Meeting. Commissioner Lovell seconded the motion and it passed unanimously.

### **ADOPTED ORDINANCE 04-45 AMENDING ORDINANCE 00-45 TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF PROPERTY ANNEXED BY JOHN C. & ARLENE A. MALIK**

CC Richardson read the ordinance as follows, by title only:

An ordinance of the City of Leesburg, Florida, amending Ordinance 00-45 which annexed and rezoned certain real property in Section 20, Township 19 south, Range 25 east, Lake County Florida, owned by John C. Malik and Arlene A. Malik, his wife, said property consisting of approximately 3.0 acres, to correct a scrivener's error in the legal description of the property being annexed; and providing an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Pro-tem Puckett	Yea

Four yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-46 VACATING TRACT A AND A PORTION OF NEWELL HILL ROAD IN JAMESTOWNE SUBDIVISION**

CC Richardson read the ordinance as follows, by title only:

An ordinance of the City of Leesburg, Florida, vacating tract "A" and a portion of Newell Hill road in Jamestowne Subdivision, owned by Edward M. Schlein and Kay C. Schlein, for the purpose of replatting into Majestic Oaks Shores Subdivision, generally located on the north end of Newell Hill Road in Jamestowne subdivision, lying in Section 24, Township 19 south, Range 24 east, Lake County, Florida; and providing for an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Christian	Yea

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Mayor Pro-tem Puckett

Yea

Four yeas, no nays, the Commission adopted the ordinance.

## **INTRODUCED AN ORDINANCE ACCEPTING AN UTILITY EASEMENT FROM DALE E. BARTCH, TRUSTEE, AT THE INTERSECTION OF MT. VERNON STREET AND U.S. HWY 441**

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title, only as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Dale E. Bartch, Trustee, Grantor, to the City of Leesburg, as Grantee, pertaining to land located in Section 30, Township 19 South, Range 25 east, Lake County, Florida; and providing an effective date.

**CITY ATTORNEY ITEMS:       None**

### **CITY MANAGER ITEMS:**

1. CM Stock reminded the Commission of the Budget Hearing scheduled for Monday, July 19, 2004 at 5:00 p.m.

### **ROLL CALL:**

Commissioner Lovell – none

Commissioner Perry – none

Commissioner Christian – none

Mayor Pro-tem Puckett – none

Commissioner Perry moved to adjourn the meeting. Commissioner Lovell seconded the motion and the meeting adjourned at 5:52 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
*Diane Gibson Smith*  
Recorder